**FARAD CONTINUATION SHEET NO.**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO.30763 OF 2004

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| Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders. | : | Court's or Judge's Orders |

Mr. L.K. Tripathi for the appellants.

Mr. J. Xavier for the B.M.C.

**CORAM: SMT. RANJANA DESAI, J.**

**DATED: 11TH FEBRUARY, 2005.**

**P.C.**:-

This appeal is directed against the judgment and decree dated 2/11/2004 whereby the suit filed by the appellants/plaintiffs was dismissed. Admittedly, the plaintiffs are hawkers. The learned counsel are agreed that in view of the judgment of the Supreme Court dated **9/12/2003 in Maharashtra Ekta Hawkers Union & Anr. v. Municipal Corporation, Greater Mumbai & Ors, delivered in Civil Appeal Nos.4156-4157 of 2002**, the appellants will have to approach the committee appointed by the Supreme Court under the said judgment.

In view of the above, the judgment and decree dated 2/11/2004 passed by the City Civil Court at Bombay in L.C. Suit No.2340 of 2002 is set aside. The appellants shall approach the said committee appointed by the Supreme Court in the above judgment, within four weeks.

The appellants will be bound by the orders passed by the said committee.

The appeal is disposed of in the aforestated terms.

In view of the above, the civil application also stands disposed of.

(SMT. RANJANA DESAI, J.)